

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

GLAZIERS, ARCHITECTURAL METAL )  
AND GLASS WORKERS LOCAL )  
UNION NO. 27 WELFARE AND )  
PENSION FUNDS, ) NO. 18 CV 7257  
                                  )  
                                  ) PLAINTIFFS, ) JUDGE: CHANG  
                                  )  
v.                              )                          )  
                                  ) MAGISTRATE JUDGE: SCHENKIER  
                                  )  
LUXE GLASS & MIRROR, LLC, )  
an Illinois limited liability company, )  
                                  )  
                                  ) DEFENDANT. )

**AMENDED MOTION FOR DEFAULT JUDGMENT IN SUM CERTAIN**

NOW COME the Plaintiffs, by and through their attorneys, and, in their Motion for Default Judgment in Sum Certain, state as follows:

1. Plaintiffs brought their Complaint against Defendant on October 31, 2018 seeking an order compelling Defendant to undergo an ERISA fringe benefit contribution audit for the period from April 2018 through the present.
2. Plaintiffs served Defendant with the Complaint and summons on November 7, 2018. But, Defendant has not appeared, nor answered or otherwise pled to the Complaint.
3. With the assistance of an audit order from this Court, Plaintiffs completed their audit.
4. Plaintiffs' auditor's review of Defendant's books and records revealed the following arrearages due to the Funds: \$116,069.85 in contributions, \$17,410.47 in liquidated damages, and \$1,522.50 in audit costs. See Ex. A.

5. Defendant challenged the inclusion of certain individuals on the audit, contending they were not bargaining unit members and performed no bargaining unit work.

6. Plaintiffs accepted Defendant's challenges in their entirety and instructed the auditor to revise the audit report to correspond with the accepted challenges.

7. The revised audit report still revealed arrearages of \$109,397.58 in contributions, \$16,409.63 in liquidated damages, and \$1,522.50 in audit costs. See Ex. B.

8. Plaintiffs have incurred \$14,145.00 in attorney's fees in this matter. See Ex. C.

**WHEREFORE**, Plaintiff pray for judgment in their favor and against Defendant in the amount of \$141,474.71.

Respectfully submitted,

**TRUSTEES OF THE GLAZIERS,  
ARCHITECTURAL METAL AND  
GLASS WORKERS LOCAL UNION  
NO. 27 WELFARE AND  
PENSION FUNDS**

By: s/ Andrew S. Pigott  
One of their Attorneys

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